
Federal Communications Commission

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of Moody Bible Institute of Chicago)	File Number EB-04-ST-028
Licensee of Radio Station KMBI (AM))	NOV # V20043298001
Facility ID # 65985)	
Spokane, Washington)	
)	

OFFICIAL NOTICE OF VIOLATION

Released: March, 16 2004

By the Enforcement Bureau, Seattle Field Office:

1. This is an Official Notice of Violation ("NOV") issued pursuant to Section 1.89 of the Commission's Rules¹, to The Moody Bible Institute, licensee of radio station KMBI.

2. On various times on and before January 19, 2004, an agent of the Commission's Seattle Office, monitoring from a remote station, noted that the programming of KAQQ (AM) at 1280 kHz was being rebroadcast on 1380 kHz. January 28, 2004, an Agent of the Commission's Seattle Office determined that the source of transmission on 1380 kHz was AM tower of KMBI which is licensed to operate at 1330 kHz. On March 10, 2004, an agent of the Commission's Seattle Office measured the signal present on 1380 kHz at approximately 35 dB below KMBI's modulated carrier on 1330 kHz. The following violation was noted:

47 C.F.R. § 73.44(b): "...emissions 30 kHz to 60 kHz removed from the carrier must be attenuated at least [5 + 1 dB/kHz] below the unmodulated carrier level. In this case emissions would need to be attenuated to at least 55 dB below the unmodulated carrier level."

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, a representative of KMBI, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Seattle Field Office
11410 NE 122nd Way, STE 312
Kirkland, WA 98034-6927

4. This Notice shall be sent certified mail, return receipt, to The Moody Bible Institute of Chicago, 820 N LaSalle St, Chicago, IL 60610. A copy of this notice shall also be sent certified mail to KMBI Radio, 5408 S. Freya St, Spokane, WA 99223.

¹ 47 C.F.R §1.89.

² 47 U.S.C. § 308(b).

Federal Communications Commission

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Dennis Anderson
District Director
Seattle Field Office

CC: KMBI Radio, Spokane, WA

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*